

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA PRIORITY

AMEMBASSY SINGAPORE

UNCLAS STATE 237523

E.O. 11652:N/A

TAGS: CASC(BOEN, HON K., MARK AND ANDREW)

SUBJECT: W/W MARK, ANDREW AND HON K. BOEN

REF: JAKARTA 13118

1. IN SIMILAR SITUATION DEPT. RESPONDS AS FOLLOWS: QUOTE
DISPUTES BETWEEN PARENTS IN CHILD CUSTODY CASES
SUCH AS THE ONE DESCRIBED IN YOUR INQUIRY ARE CON-
SIDERED BY THIS DEPARTMENT TO BE PRIVATE MATTERS IN
WHICH IT MAY NOT PROPERLY INTERVENE. SINCE THE JURIS-
DICTION OF UNITED STATES COURTS DOES NOT EXTEND ABROAD,
FAILING AN AMICABLE SETTLEMENT BETWEEN THE PARTIES CON-
CERNED, SUCH MATTERS ARE FOR ADJUDICATION BY A COURT OF
COMPETENT JURISDICTION IN THE COUNTRY WHERE THE CHILD-
REN ARE PHYSICALLY LOCATED. I AM THEREFORE, INCLUDING

A LIST OF LAWYERS IN THE CONSULAR DISTRICT OF JAKARTA
IF MRS. BOEN SHOULD WISH TO RETAIN LEGAL COUNSEL.

2. IF THE CHILDREN ARE UNITED STATES CITIZENS AND
SINCE A STATE COURT AWARDED CUSTODY OF THE CHILDREN TO
MRS. BOEN, SHE MAY SEND A CERTIFIED COPY OF THE COURT ORDER
TO THE DEPARTMENT OF STATE'S PASSPORT OFFICE WITH THE
REQUEST THAT IT AMEND ITS RECORDS AS APPROPRIATE. UNDER
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THESE CONDITIONS ONLY THE PARENT WITH LEGAL CUSTODY CAN

APPLY FOR A PASSPORT ON BEHALF OF THE CHILDREN. IF
THE MINOR CHILDREN HAVE BEEN ISSUED PASSPORTS PRIOR TO
RECEIPT OF THE APPROPRIATE COURT ORDER, THE PASSPORT
OFFICE HAS NO STATUTORY OR REGULATORY AUTHORITY TO REVOKE
THE PASSPORT. HOWEVER, NO FURTHER PASSPORT SERVICES WILL
BE RENDERED WITHOUT MRS. BOEN BEING NOTIFIED. UNQUOTE.

3. THE DEPARTMENT WILL BE HAPPY, IF REQUESTED, TO CONTACT
SEN. PERCY'S OFFICE WITH THE ABOVE INFORMATION. HOWEVER,
THE SENATOR'S OFFICE WILL PROBABLY APPRECIATE A WELFARE
AND WHEREABOUTS REPORT ON THE CHILDREN FROM THE EMBASSY.

4. DEPT. SEES NO RPT NO REASON WHY INFO PARA 2 REFTEL
SHOULD NOT RPT NOT BE FORWARDED TO SENATOR'S OFFICE. INGERSOLL

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